



State of Utah

Department of
Natural Resources

ROBERT L. MORGAN
Executive Director

Division of
Oil, Gas & Mining

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

April 12, 2004

Mr. Brad Boyter
Western Clay Company
P. O. Box 127
Aurora, Utah 84620

Subject: Proposal to Mine Dolomite, Western Clay Company, S/001/065,
Beaver County, Utah

Dear Mr. Boyter:

On April 9, 2004, the Division of Oil, Gas and Mining received copies of correspondence from Byron Muir to the Bureau of Land Management (BLM) on your behalf, and from the BLM to you. The letter from Mr. Muir to the BLM details proposed mining operations in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 28 South, Range 11 West, SLBM. The letter from Ed Ginouves of the BLM to you is a cover letter for a sales contract. We also received a copy of a letter of credit issued by Zions Bank in the amount of \$6000 with the BLM named as the beneficiary.

As far as we can determine, the Division of Oil, Gas and Mining has not received a notice of intention for this operation. From the information in the sales contract, it appears the disturbed area would be between 1.22 and 1.50 acres, so the appropriate form to file is MR-SMO, a copy of which is enclosed.

When we receive your notice of intention, we will evaluate the size of the disturbed area in relation to the bond you have already submitted. This existing bond may be adequate for our purposes, but the Division will need to be named as a beneficiary together with the BLM. You will also need to submit a reclamation contract. *Please do not change the letter of credit until after you hear from us concerning whether it will be considered adequate.*

Please submit the notice of intention form as soon as possible. If you have already started mining, you may be out of compliance with the Utah Mined Land

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Reclamation Act. If you have questions about this letter, please call me at 801-538-5261 or Tom Munson at 801-538-5321. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P B Baker'.

Paul B. Baker, Reclamation Biologist
Minerals Regulatory Program
Utah Division of Oil, Gas and Mining

Enclosure: MR-SMO
cc: Ed Ginouves, Cedar City BLM
PBB:jb
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